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Fair; Warmer

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SOUTHERN PACIFIC MUST GIVE UP THE CENTRAL PACIFIC

Attorney General McReynolds Takes Same Position on This Issue that Predecessor Did.

CAUSE OF HITCH IN AGREEMENT

Plan Now Under Consideration Takes No Account of It.

TO BE MADE SEPARATE AFFAIR

Court Left it Open to Negotiations of Interested Men.

GOVERNMENT WILL FILE SUIT

Attorney General Will File Bill Under Sherman Act if Railroad Magnates Fail to Come to Agreement.

WASHINGTON, May 28.—Attorney General McReynolds has decided to contend that the Southern Pacific must give up the Central Pacific in the pending dissolution of the Union Pacific merger and will bring a suit under the Sherman law to accomplish that end if the dissolution plans fail to include it.

It became definitely known today that the attorney general had finally decided that the Central Pacific must be divorced from the Southern. The disposition of the Central Pacific is understood to be the cause of the hitch in the efforts of the Union Pacific and Southern Pacific to reach an agreement.

The plan which the Union Pacific will shortly present to the attorney general contemplates it is believed here only the disposition of \$10,000,000 of Southern Pacific stock sold by the Union Pacific and will leave the question of the status of the Central Pacific to separate litigation to be begun by the government. The supreme court ordered the sale of Union Pacific holdings of Southern Pacific and left open to negotiation or future litigation the disposition of the Central Pacific.

The position of Mr. McReynolds regarding the Central Pacific coincides with that of former Attorney General Wickham, who threatened an anti-trust suit unless the Southern Pacific disposed of its subsidiary.

German Aviator is Killed by Fall

HANOVER, Germany, May 28.—A. Horn, a German aviator, was instantly killed this morning by a fall from a height of 800 feet while making an overland flight in his monoplane. The cause of the accident could not be ascertained as the machine was shattered.

MONROE, Scotland, May 27.—Lieutenant Desmond L. Arthur, of the army flying corps, was killed today near here, while practicing aeroplane reconnoitering with other officers. He was flying at a height of 3,000 feet, when the wings of his machine collapsed.

POWER OF PUJO MONEY COMMITTEE CHALLENGED

NEW YORK, May 28.—The authority of the Pujos "money trust" committee to compel witnesses to answer will be questioned before the United States supreme court. George Garr Henry, the New York banker indicted in Washington for contempt after his refusal to answer questions asked by the committee, gave notice today that he would appeal to the highest court from the recent decision of Federal District Judge Mayer ordering him to stand trial on the indictment. Judge Mayer issued a stay to permit the banker to carry up his appeal. Henry furnished \$2,000 bail.

MARINES ARE ON WAY BACK FROM GUANTANAMO

WASHINGTON, May 28.—The navy transport *Prairie* is returning from Guantanamo, Cuba, with 2,000 marines mobilized there last winter during the Mexican disturbance. After arrival at Philadelphia the marines will be distributed to navy posts at New York, Philadelphia, Annapolis, Boston, Washington, Norfolk, Charleston and Fort Royal. The *Prairie* will return to Guantanamo at once and bring back a field battery and an automatic rifle company, the only remaining troops of the brigade in Cuba.

NEBRASKA THEOLOGICAL STUDENT GIVEN DEGREE

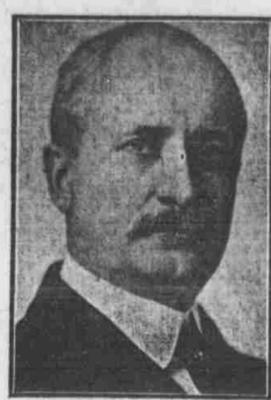
EVANSTON, Ill., May 28.—(Special Telegram.)—William B. Hiles, University Place, Neb., graduated from Garrett Biblical Institute today with the degree of bachelor of divinity.

Cought by Sand Cave-in.
ROCKHAM, S. D., May 28.—(Special.)—While engaged in hauling sand near Rockham, Elmer Koon was caught in a cave-in and narrowly escaped death. He was working alone, and it was only after a half hour's hard work that he succeeded in extricating himself from the sand which reached nearly to his head and threatened to smother him at any moment.

The Weather

Temperature at Omaha	
Hour	Temp.
5 a. m.	70
6 a. m.	71
7 a. m.	71
8 a. m.	72
9 a. m.	73
10 a. m.	75
11 a. m.	76
12 m.	78
1 p. m.	80
2 p. m.	82
3 p. m.	83

TO BE NAMED DISTRICT JUDGE AS SUCCESSOR TO KENNEDY



JAMES P. ENGLISH.

Senator Stilwell is Given Four to Eight Years in Prison

NEW YORK, May 28.—Former State Senator Stephen K. Stilwell, convicted of bribery by a jury last week after he had been exonerated by the New York state senate, was sentenced today to serve not less than four years nor more than eight in Sing Sing prison.

Supreme Court Justice Seabury, who presided at Stilwell's trial, pronounced sentence and granted a stay of execution in order that the convicted senator's lawyers might apply for a certificate of reasonable doubt. No trace of emotion crossed Stilwell's face as he heard his sentence. Justice Seabury's words had hardly died away before Stilwell was led back to the Tombs. He smiled at friends and sympathizers who crowded close to the railing as he was walked away.

Stilwell, state senator from the Bronx, was convicted of attempting to obtain \$3,500 from George H. Kendall, president of the New York Bank Note company, for favorable consideration by the senate and assembly codes committee of a bill to make illegal discrimination against bank note companies by stock exchanges. Kendall refused to pay and laid his case before Governor Sulzer, who called on Stilwell to resign. This Stilwell declined to do. The senate investigated the charges, heard Kendall and other witnesses and exonerated Stilwell by a vote of 23 to 21, after he had made an emotional plea in his own behalf. Thereafter the case was placed, by Governor Sulzer's instructions, in the hands of District Attorney Whitman. Stilwell appeared before the grand jury after signing a waiver of immunity.

The convicted senator is 45 years old and had long been in politics. His conviction automatically removed him from the senate.

Broker Charged With Swindling a Woman Must Stand Trial

CHICAGO, May 28.—Edmund E. C. Von Klein, the Minneapolis diamond broker, must return to Portland, Ore., to stand trial on charges preferred against him by Miss Ethel Newcomb, formerly of Fort Wayne, Ind. Judge Kersten today refused to release him on habeas corpus proceedings begun by Von Klein's attorneys.

Soon after Von Klein had been remanded to the county jail, Detective Joseph Day of Portland served Sheriff Zimmer with a warrant for Von Klein issued by the governor of Oregon. Von Klein appeared to be greatly dejected when Judge Kersten decided against him.

Counsel for Von Klein attempted to block extradition by raising the point that the information on which his return to Portland was sought, as insufficient. Judge Kersten ruled that the proceedings on which the government's warrant was issued was regular. Miss Newcomb accuses Von Klein of pretending to marry her at Portland in 1911 and then deserting her several days after the "marriage," taking her jewelry valued at \$2,250.

Astor House Now Thing of the Past

NEW YORK, May 28.—From time to time Broadway parts with its landmarks with quite as little concern as do the loss of old teeth, but remarkable sentiment was aroused today over the passing of a favorite old molar—the Astor house. Many old time visitors to New York from Chicago, Washington and New England points walked in the corridors of the 80-year-old place, to have a last look at the old haunts. The destruction of the hotel will begin as soon as the guests depart tomorrow, and rooms which have been occupied by such famous men as Lincoln, Webster and Clay and scores of other prominent men, will be laid bare for the wreckers, who will begin work in July. The demolition of the structure is made necessary by the purchase of the site by the city in connection with the new Broadway subway.

GERMANS WILL DISCUSS RELATIONS WITH AMERICA

BERLIN, May 28.—The minister of the interior has called a conference for June 3 of the leading industrial and commercial men, who will discuss with the members of the permanent exposition commission and the members of the cabinet what exhibition will be made in the Panama-Pacific exposition at San Francisco in 1915. They will consider commercial relations of Germany with the United States and the effect of the new tariff, the possibilities of trade development between Germany and other countries on the Pacific and the general effect of possible German absence from the exposition.

CONGRESS LIKELY TO YIELD TO EUROPEAN TARIFF BILL PROTECTOR

Provision Granting Discount on Shipments in American Ships May Not Stand.

ELIMINATION VERY PROBABLE

Leaders Admit Clause Can Be Dropped Without Harm.

PRESIDENT OF THE SAME MIND

Senate Finance Committee to Recommend Reading Objection.

FREE TRADERS STANDING PAT

House Chiefs Emphatic in Stating Lower Body Will Make No Change in Raw Sugar or Wool Schedules.

WASHINGTON, May 28.—Congress in all probability will yield to the protests of foreign nations against the provision in the Underwood tariff bill granting a 5 per cent discount on shipments in American-controlled vessels. That the provision can be eliminated without harm and that congress has no desire to insist on that which will be embarrassing to foreign nations or violate treaty rights was admitted today by leaders. President Wilson is said that he would not object if the clause were eliminated.

This action, it was reported, would be recommended by the senate finance committee, which is considering the administrative features of the bill. The sub-committee will also seek to modify another clause which compels foreign merchants to submit their books to an American agent in cases of disputed valuations and provides as a penalty for refusal that the goods be excluded from entry.

Germany, France and England have made strong protests against this clause.

Important Conference Held. Two important conferences were held today on the foreign protests. One was between Senator Simmons and Secretary Bryan. The other conferees were Senator Williams and Shively of the finance committee and Representative Peters of Massachusetts, who had charge of the administrative section of the tariff bill for the house ways and means committee.

It was reported that the State department held it to be unquestionable that the 5 per cent debenture clause violated foreign treaties. Protests against the clause from eight nations were read.

It was generally expected tonight that the house would yield to a senate amendment striking out the clause. Several house leaders were emphatic in stating that the house would make no change in raw sugar or wool. The fight to change them will be made in the caucus, but the present prospect is that the administration forces will not yield there. A report that the rates on wool manufacturers would be increased was denied by Senator Simmons.

Insurance Statistics Presented. In response to a request from Senator Williams, Lincoln, K. Passmore of the Pennsylvania Mutual Life Insurance company presented statistics today to establish the contention that his company is entirely mutual and that all its funds are exclusively diverted to the interest of the membership. Mr. Passmore declared the proposed act discriminating against mutual life insurance companies.

Representative Hull of Tennessee, author of the income tax section of the bill, was in conference with Senators Williams and Shively for several hours, going over the protests which have been filed.

Forger Who Posed as Woman Escapes With Sheriff's Car

RIVERSIDE, Cal., May 28.—Sheriff Wilson arrived home today minus \$70 and a prisoner, James Arthur Baker, who was being brought back from Kansas City to face charges of having obtained \$1,400 from a Riverside bank on spurious checks. Baker stole the \$70 from the sheriff and then escaped near Flagstaff, Ariz., from an upper berth of a sleeping car.

Body of Mrs. Gebhardt Recovered From Lake

ST. PAUL, May 28.—After searching since daylight the police, shortly before noon today, recovered the body of the woman who committed suicide yesterday by jumping from a boat into the lake at Como park. She is believed to have been Mrs. Florence Gebhardt, divorced wife of Prof. George F. Gebhardt of Chicago, and known as a writer under the nom de plume "Helen Hale."

R. Burnham, whose name, it is claimed, was mentioned in a note left by the woman, this morning left the hotel in Minneapolis where the two, it is alleged, had been stopping. His destination was unknown to the hotel manager.

WOMAN WHO SHOT MOORE PROBABLY WILL RECOVER

SIOUX FALLS, S. D., May 28.—Mrs. Mae Evans, who is supposed to have shot and killed Dr. E. L. Moore, of South Dakota Agricultural college staff, and then shot herself twice Monday evening in a rooming house here, is still alive and doctors now hold out hope for her recovery. If she lives she probably will have to answer to the charge of murder.

The Reception Committee Grows Important



Drawn for The Bee by Powell.

SERBS MAY FIGHT BULGARS Hostilities Between Former Allies May Break Out in Day or Two.

MORE CLASHES WITH GREEKS
Report from Vienna Says that King Ferdinand Wants to Leave the Future of Saloniki to the Powers.

SOPIA, Bulgaria, May 28.—The military circles of the Bulgarian capital expect an almost immediate outbreak of hostilities between Bulgaria and Serbia.

VIENNA, May 28.—Bulgaria has addressed a note to the European powers offering to submit to their decision the question of the future of Saloniki, according to the Reichspost today.

SALONIKI, May 28.—Severe tension still exists between the Greek and Bulgarian armies facing each other some distance north of this city. Several clashes, during which shots were exchanged occurred yesterday and today. The Greeks accuse the Bulgarians of assuming the aggressive.

In spite of the declaration made at the Bulgarian capital that the Bulgarian troops have been ordered to observe a moderate attitude and to avoid conflicts with the Greeks, the Bulgarian commanders apparently are preparing to attack Eletheria with a view to gaining complete occupation of the dominant position of Mount Panghion. They have already placed guns on the crests of the hills to the southeast of Prava, commanding Eletheria. The Bulgarian troops have also occupied the heights commanding the village of Bujukiti, to the south of Lake Doiran and the town of the same name, which is occupied by the Greeks.

It is the belief of Greek generals that the Bulgarians are systematically creating incidents and endeavoring to drive the Greeks toward the sea and seize the positions vacated by them.

Lewis Will Aid Kern in Keeping Senate Democrats in Line

WASHINGTON, May 28.—Senator James Hamilton Lewis of Nevada was today elected democratic floor manager and assistant to Majority Leader Kern by the state democratic caucus. Senator Lewis' position is a new one to the senate and corresponds to the whip in the house.

Engaged Girls Have Right to Other Beau

KANSAS CITY, Mo., May 28.—A young woman in Missouri need not confine her attentions solely to the young man to whom she is engaged, and she may receive attention from other men, according to Circuit Judge Robinson's interpretation of the law here today.

There may be no limit to the number of beaux she may have either, Judge Robinson ruled.

LANE WILL REORGANIZE RECLAMATION SERVICE

WASHINGTON, May 28.—Secretary Lane as one result of his recent inquiry into government irrigation projects, today announced a radical reorganization of the reclamation service.

CLEAR LAKE WOMAN DROWNS IN RAIN BARREL

CLEAR LAKE, Ia., May 28.—Mrs. John G. Phillips committed suicide by drowning herself in a rain barrel last night. The body was not found until this morning.

Fear Settles Case by Sending His Four Wives Back to Utah

CHICAGO, May 28.—Petitions asking that George Fear, 56 years old, be compelled to support a total of twenty-nine children, which were filed by four women who claimed to be his wives, were dismissed today in County Judge Owens' court, when Fear told Mrs. Josephine Lawrence, an investigator, that he had shipped all the women back to Salt Lake City, whence he and they had come.

Fear said he came to Chicago to develop a patent and brought only one of his wives, Mrs. Josephine Fear, with him, leaving her nineteen children at Salt Lake City. That was early last winter and recently the other three women arrived. All was peaceful, he declared, until he had to leave Chicago for a short business trip. Mrs. Josephine Fear then became alarmed that he had deserted her and the other women and applied to Mrs. Lawrence, the other women then filed petitions, giving their names as Mrs. Fear, Mrs. Dear and Mrs. Bear, hoping in that way to avoid getting Fear into trouble in addition to what they were making for him.

"I found I could not work in peace in this city," Fear told Mrs. Lawrence. "I shipped them all back to Salt Lake City, where I won't be bothered."

The case remained a mystery until Fear himself appeared today because of the similarity of the names of each complainant and her charges, all against the same man. In order to puzzle the authorities the women gave false addresses. However, the case will not be prosecuted now, since the complaining witnesses have left town.

SALT LAKE CITY, May 28.—No record showing that George Fear, whose marital troubles were aired in a Cook county court today, has ever lived in Salt Lake City is to be found here. No name of such a person is contained in city or church directories, county or poll tax lists, or in the books of public service corporations. Latta, mayor of Salt Lake, authoritatively declared today that he had no member by that name anywhere in the world.

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Mrs. Mary Cugin, a divorcee, sued Leo Rice of this city for damages, charging breach of promise. Rice's attorney tried to introduce evidence to show that he was not the only suitor Mrs. Cugin had.

Engaged Girls Have Right to Other Beau

"That is not a material point," Judge Robinson said. "Under the law the fact that the plaintiff was engaged to marry the defendant was no bar to her receiving the attentions of other men."

ENGLISH DISTRICT JUDGE

Governor Appoints Omaha Attorney as Kennedy's Successor.

FORMERLY COUNTY ATTORNEY

Judges of District Court Will Take English's Preference in Consideration in Assigning Docket to Him.

James P. English will succeed Howard Kennedy as judge of the district court. Governor Morehead at Falls City yesterday announced his intention to appoint Mr. English. He will issue his commission as judge today.

Judge English's selection ends a contest between him and John H. Grossman, which began early in the spring when Judge Kennedy was selected by the governor as a member of the State Board of Control. Judge Kennedy will leave the bench May 31.

Whether Judge English will take an equity or a law docket will be decided by all the judges who will take into consideration Judge English's preference. Judge Kennedy has an equity docket.

Judge English for eight years was county attorney of Douglas county. He has lived in Omaha thirty-five years. He formerly was in the law office of James M. Woolworth, and later was a member of the firm of Hall, McCulloch and English. For years he has lectured at Creighton university.

Right of Brooklyn Teachers to Marry to Be Determined

NEW YORK, May 28.—The Board of Education's ruling that teachers may not marry and become mothers is to be tested in the courts, according to announcements to day by counsel for Mrs. Bridget M. F. Peixoto, charged with "neglect of duty" in marrying without the board's knowledge, and reporting ill when her baby was born.

When Mrs. Peixoto was married in February 1912, she failed to tell the board about it, fearing that under its rule she would lose her position as principal of public school No. 4. The fact of her marriage was not learned by the board until a few days ago, after she had been on sick leave for six weeks, and had been a mother four weeks. She was at once charged with neglect of duty and is to be given a trial by the board shortly.

WISCONSIN ASSEMBLY PASSES BOXING BILL

MADISON, Wis., May 28.—The assembly today passed, 42 to 22, a boxing bill which provides for a state commission to regulate boxing bouts, the contents to be no-decision affairs, of not more than ten rounds each, and three per cent of the proceeds must go to the state treasury. The bill will now go to the senate.

The death of Lother McCarty in Calgary furnished food for opposition arguments in the debate being given by the introduction of a so-called "memorial" on McCarty's death.

DEATH RECORD

BETHANY, Mo., May 28.—Henry Cadie, 61 years old, for many years state secretary of and prominent nationally in the Sons of the American Revolution, died here early today. He was a bachelor. Burial will be at Muscatine, Ia.

Memphis Postmaster Indicted. MEMPHIS, Tenn., May 28.—Lee W. Dutton, postmaster at Memphis for the last twelve years, was indicted today by the federal grand jury on the charge of soliciting campaign funds in 1910. It was stated similar charges against several "handlers of Chattanooga, former United States senator, and Henry O. True, aide to republicans in 1907 Tennessee, were ignored.

ARRAY OF WITNESSES TESTIFY THEY NEVER SAW TEDDY DRUNK

Men Associated with Colonel in Private and Public Life Declare Him Temperate.

NEWSPAPER MEN ON STAND

Say Former President's Breath Not Tainted with Liquor.

IMPORTANT RULING BY COURT

Roosevelt's General Reputation is Issue in the Case.

NEWETT'S COUNSEL PROTESTS

Asserts Proceedings Are Semi-Criminal—Evidence Presented Gives T. H. Great Pleasure.

MARQUETTE, Mich., May 28.—Men who have been associated with Colonel Roosevelt in public and in private life, who met him on the Nile, when he returned from his African hunting trip, and newspaper men who accompanied him on his various hunting trips testified today in his libel suit against George H. Newett that the former president was not a drunkard, but he was notable and extremely temperate in the use of intoxicants.

It would have been impossible, they say, for Colonel Roosevelt to be under the influence of liquor without the fact becoming known to his associates. It would have been equally impossible for him to have drunk liquor with any regularity without the smell of it appearing on his breath to the friends who testified.

Throughout the hearing of the case, in which the former president is suing for \$10,000 damages because of the publication last October of an editorial in Iron Ore, a weekly paper published by Newett, charging him with getting drunk, Colonel Roosevelt listened with evident satisfaction to the testimony of former members of his cabinet and newspaper men. His face frequently lit up with a smile, when incidents were related on the stand. Colonel Roosevelt gave vent to an audible chuckle when Robert Bacon, former secretary of state, in telling of his acquaintance with the Roosevelt family, said the colonel was the father of five children instead of six.

Gauche Laughter in Court Room. Colonel Roosevelt's sense of humor was awakened at once by this lapse of Mr. Bacon's memory and the hearty chuckle which he vainly tried to smother in his hand caused a ripple of laughter about the court room.

For almost six hours of testimony taking or argument, Colonel Roosevelt retained his seat just back of his counsel. He sat some times tilted back against the railing, twining his watch chain and occasionally casting the glint of his thick eyebrows toward the balconies crowded with women and sometimes leaning forward to whisper with his attorneys.

The day's proceedings were marked by an important ruling by Richard C. Flannigan, which in the introduction of evidence the defense, will have the effect of excluding certain kinds of hearsay testimony. This hearing came after a prolonged argument, during which the jurors were excluded from the room and after attorneys for Colonel Roosevelt had urged for the exclusion of a certain kind of testimony which they might be introduced by the defense through depositions taken from persons in different parts of the country.

The effect of the ruling is that Col. Roosevelt's general reputation is an issue in the case and testimony upon his reputation may be introduced, and that rumors or reports about his reputation coming from persons not qualified by experience to judge shall not be admitted. In the future progress of the hearing, it was explained in court, a person who traveled extensively with the former president or who has been associated with him with any degree of constancy may testify as to his reputation. But a man who heard the colonel deliver a political speech, or saw him for only a few moments in a crowd may not testify as to his general reputation, but he may tell how the colonel acted at the time.

Mr. Pound and Mr. Van Reeschooten.

At This Season of the Year Everybody

is perhaps more logically affected by advertising than at some other periods, for the warm weather days bring many needs not essential at other times.

We turn to negligee attire, to light clothes, to straw hats, to lawn shoes and to the other necessities of the times, with relief.

And when in want of such things we naturally turn to the advertisements in THE BEE for information as to the place to buy and the price.

Woman-kind revels in millinery, the dresses, lace frocks, pumps, waists, hostess, lingerie and other things.

More men needs things, too. He requires cool outer and under clothing, neckwear, shirts — and also those things required in outdoor sports.

For boy or girl kind, and baby kind, too, there are plenty of attractions in current advertisements in THE BEE.

If you are looking for a summer cottage, a place to board during the heated term, look in THE BEE.

You'll find practically the range of human requirements covered.